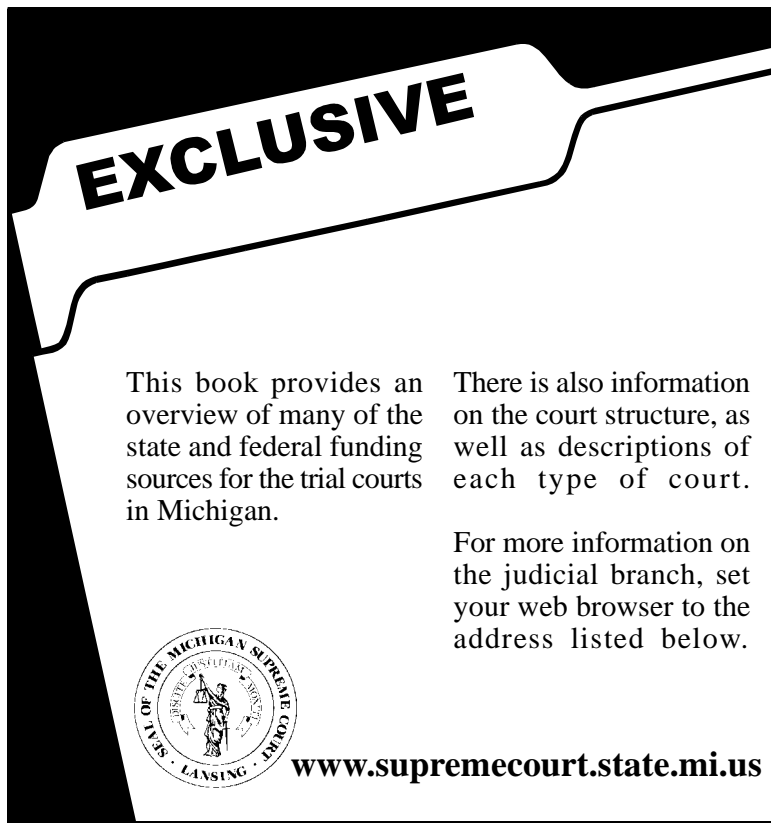


Sources of Funding for Michigan's Trial Courts




EXCLUSIVE

This book provides an overview of many of the state and federal funding sources for the trial courts in Michigan.

There is also information on the court structure, as well as descriptions of each type of court.

For more information on the judicial branch, set your web browser to the address listed below.



www.supremecourt.state.mi.us

August 1999

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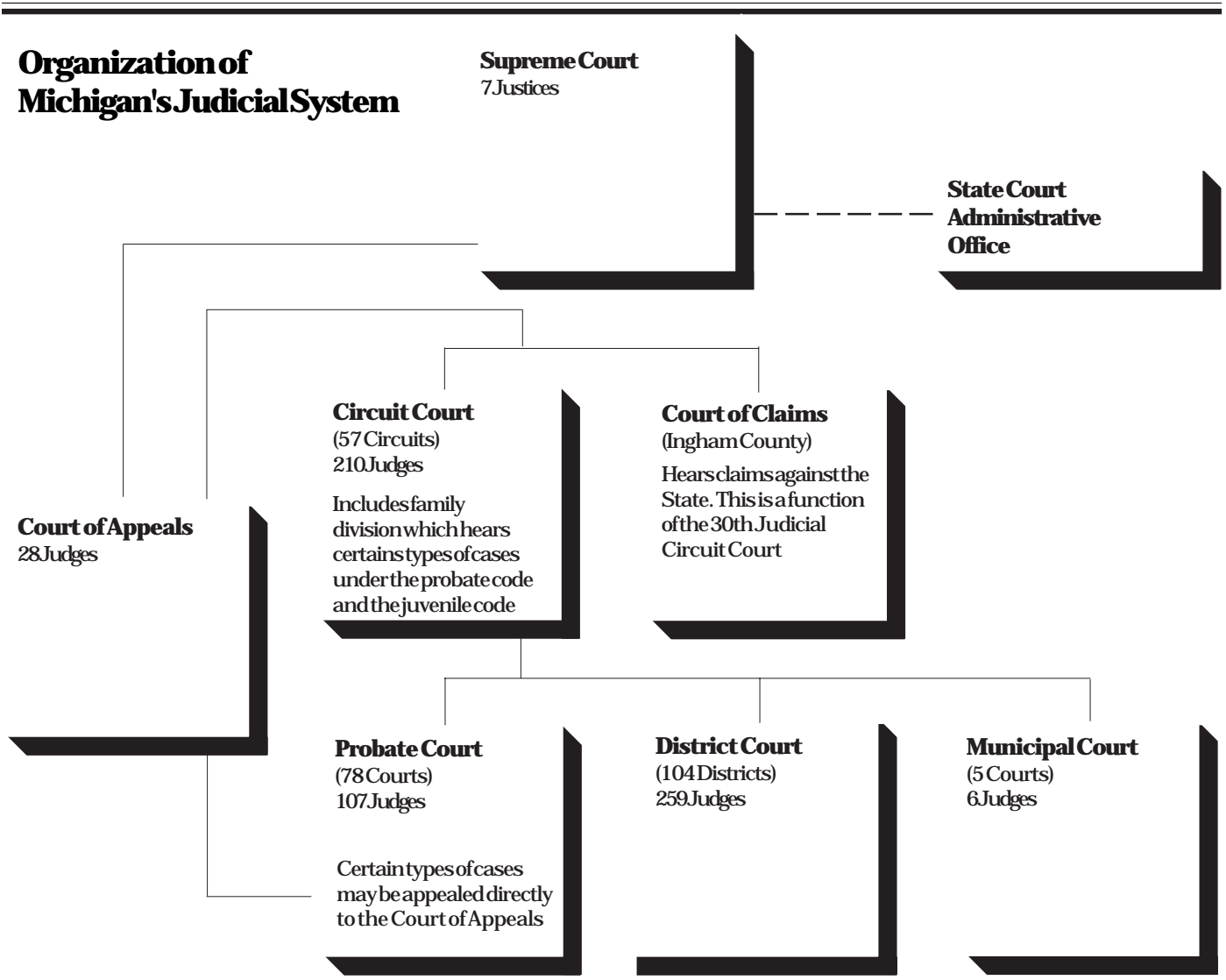
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Michigan Judicial System

Michigan’s concept of “One Court of Justice” was introduced in 1963 by Article VI, Section 1 of the Michigan Constitution. Under this principle the judicial system functions as an integrated unit consisting of one supreme court, one court of appeals, one trial court (known as the circuit court), and several trial courts of limited jurisdiction.

Each court performs a certain role within the judicial system according to the jurisdiction given to it by the Michigan Constitution or Legislature. This jurisdiction is further outlined in various Michigan statutes and briefly described on the following pages. In addition to establishing “One Court of Justice”, the Michigan Constitution authorized the appointment of a state court administrator to assist courts with administrative duties and tasks.



Connecting lines to the Circuit Court, the Court of Appeals, and the Supreme Court represent the various levels in the appeal process



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Michigan's One Court of Justice

Supreme Court



● **Supreme Court overview**

The Supreme Court is the highest court in the state, hearing cases appealed to it from the Court of Appeals. Cases are appealed to the Supreme Court by filing an application for "leave to appeal" with the Court. The Supreme Court has the authority to grant or deny any application. If an application is granted, the Supreme Court will hear the case; if denied, the decision made by the lower court remains unchanged. The Supreme Court also has original jurisdiction over some matters.

In addition to its judicial duties, the Supreme Court is responsible for the general administrative supervision of all courts in the state. The Supreme Court also establishes rules for practice and procedure in all courts.

The Supreme Court consists of seven justices; the Chief Justice and six associate justices. The justices are elected to serve eight-year terms. Every two years one justice is selected by the court as chief justice. Although justices are nominated by political parties, they are elected on a non-partisan ballot. A candidate for the Supreme Court must be a qualified elector, licensed to practice law in Michigan, and at the time of election must be less than 70 years of age. The salary of the justices is fixed by the State Officers Compensation Commission and paid by the state.

Judicial Function

Sessions of the Supreme Court are held in Lansing. The Supreme Court receives annually approximately 2,400 to 3,000 applications for leave to appeal from litigants seeking review of decisions by the Michigan Court of Appeals. Each of the Supreme Court's seven justices is responsible for reviewing each case at a rate of 200 to 300 a month to determine which should be granted leave. Justices analyze each case up to three times before a decision to grant leave to appeal is made.

In addition to this extensive review of cases, each justice is responsible for:

- reviewing 35 to 50 cases for conference several times a month
- preparing 12 to 18 cases for each month of oral argument
- writing majority opinions, concurrences and dissents
- preparing for administrative meetings concerning court rules, discipline issues, board appointments and the like several times a month
- attending to educational and communication responsibilities
- performing a variety of civic obligations, including speeches, classroom visits, conferences.

The Supreme Court's authority to hear cases is discretionary. The Court grants leave to those cases of greatest complexity and public import where additional briefing and oral argument are essential to reaching a just outcome.

The Court issues a decision in all cases filed with the Clerk's Office, which means some 2,400 to 3,000 decisions a year. Cases that are not accepted for oral argument may be decided by an order with or without an opinion. These orders may affirm or reverse the Michigan Court of Appeals, may remand a case to the trial court, or may adopt a correct Court of Appeals opinion. In these instances, the Court deems further briefing and oral argument unnecessary. This system saves litigants and the public the considerable time and expense of full-scale briefing and argument where none is needed.

Administrative Function

As manager of the Michigan court system, the Supreme Court has undertaken with the Legislative and Executive branches, state and local, to improve the system statewide for greater efficiency and accountability to the public. This endeavor includes:

- advancing the implementation of the family division of circuit court for greater efficiency and convenience for families
- developing a statewide court information management system
- developing trial court performance standards
- reforming jury management practices
- overseeing the progress of seven trial court demonstration projects.

In addition to its court reform and administrative activities, the Supreme Court addresses numerous issues related to court procedure. This involved the amending of court rules to improve case flow and other aspects of court management.

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Court of Appeals



● Court of Appeals overview

The Court of Appeals was established by the 1963 State Constitution as an "intermediate" appellate court between the Supreme Court and Circuit Court. Jurisdiction of the Court of Appeals is established by state law, but its practice and procedure are governed by Supreme Court rule.

Judges of the Court of Appeals are chosen in non-partisan elections from four districts of approximately equal population. The state legislature may increase the number of judges and alter the districts from which they are elected by changing the state law. A candidate for the Court of Appeals must be a resident of the district in which the candidate is running, a qualified elector, licensed to practice law in Michigan, and at the time of election must be less than 70 years of age.

Court of Appeals judges are elected for six-year terms. Their salaries are set by the legislature. Every two years a chief judge is selected by the Supreme Court.

In addition to hearing cases, the chief judge performs administrative duties and other assignments indicated by the Supreme Court. Panels of Court of Appeals judges hear cases in Lansing, Detroit, Grand Rapids, and Marquette. The panels are rotated to encourage statewide uniformity in rulings by eliminating the likelihood of conflicting legal philosophies developing in specific geographical areas.

The procedure for hearing cases is similar to that in the Supreme Court. The decision of a panel of the Court of Appeals is final except for those cases which the Supreme Court reviews.

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Michigan's One Court of Justice

Trial Courts



● Circuit Court

The state is divided into judicial circuits along county lines. The number of judges within a circuit is established by the legislature to accommodate required judicial activity. In multi-county circuits, judges travel from one county to another to hold court sessions.

The circuit court is the trial court of general jurisdiction in Michigan because of its very broad powers. The circuit court has jurisdiction over all actions except those given by state law to another court. Traditionally, the circuit court has had original jurisdiction in all civil cases involving more than \$10,000, in all criminal cases where the offense involves a felony or certain serious misdemeanors, and in all domestic relations cases, including divorce and paternity actions.

The legislature raised the civil jurisdiction from \$10,000 to \$25,000 and created a family division in circuit court effective January 1, 1998. The family division handles divorces and ancillary matters, custody, parenting time, paternity, juvenile offenses, abuse and neglect. Status of minors, personal protection orders, name changes, adoptions, parental consent waivers, guardianships (ancillary) and mental health commitments (ancillary). The circuit division of the circuit court handles civil cases over \$25,000, criminal cases, appeals from district court, probate court and administrative agencies, and drain code condemnation cases.

The circuit court also hears cases appealed from lower courts and from some administrative agencies of state government. In addition, the circuit court has superintending control over other courts within the judicial circuit, subject to final superintending control of the Supreme Court.

Circuit judges are elected for terms of six years in non-partisan elections. A candidate must be a qualified elector, a resident of the judicial circuit, a lawyer and under 70 years of age. The legislature sets salaries for circuit judges, which may be supplemented by counties.

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Michigan's One Court of Justice

Trial Courts



● Probate Court

There is a probate court in each Michigan county with the exception of ten counties that have consolidated to form five probate court districts. Each district has one judge, and each of the remaining counties have one or more judges depending in large part on the population and caseload within the county.

The probate court is a court of original jurisdiction. It has traditionally had exclusive jurisdiction in such matters as juvenile delinquency, neglect, abuse, and adoption proceedings, supervision of "probating" of wills, the administration of estates and trusts.

In 1998 the legislature created the family division in the family court and moved delinquency cases, neglect and abuse cases, adoption proceedings, name changes and other ancillary family matters from the probate court to the circuit court.

The probate court also hears cases pertaining to guardianships, conservatorships, the commitment for hospital care of mentally ill persons, the mentally handicapped, addicted persons, and condemnation of land.

Probate judges are elected on a nonpartisan ballot for six-year terms, subject to the same requirements as other judges. The Legislature sets their salaries, which may be supplemented by counties.

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Michigan's One Court of Justice

Trial Courts



District Court

District Court, with which citizens have contact more than any other court, has exclusive jurisdiction of all civil litigation up to \$25,000 and handles garnishments, eviction proceedings, land contract and mortgage foreclosures, and other proceedings. In the criminal field, district court handles all misdemeanors where punishment does not exceed one year, including arraignment, setting and acceptance of bail, trial and sentencing, and conducts preliminary examinations in felony cases.

A small claims division for civil cases up to \$1,750 is provided in district court. In these cases litigants agree to waive their right to a jury, rules of evidence, representation by a lawyer, and the right to appeal from the district judge's decision. If either party objects, the case will be heard by the general civil division of the district court.

District judges may appoint magistrates. Magistrates may set bail and accept bond in criminal matters; accept guilty pleas; and sentence for traffic, motor carrier, and snowmobile violations and dog, game, and marine law violations. The magistrate may also issue arrest and search warrants authorized by the prosecutor or municipal attorney. Attorney magistrates may hear small claims cases. Magistrates may, at the direction of the chief judge, perform other duties allowed by statute.

District judges are elected for six-year terms on non-partisan ballots, under the same requirements as circuit judges. The legislature sets their salaries, which may be supplemented by local governments.

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Trial Courts



- **Municipal Court**

Municipal Court civil jurisdiction is limited to \$1,500. Five municipalities have chosen to retain a municipal court, rather than change to district court. Its criminal jurisdiction is similar to district court. Municipal judges must be lawyers, residents and electors of their cities. They are paid by the municipality and are elected for four-year terms as provided by city charter. They are part-time judges and may practice law.

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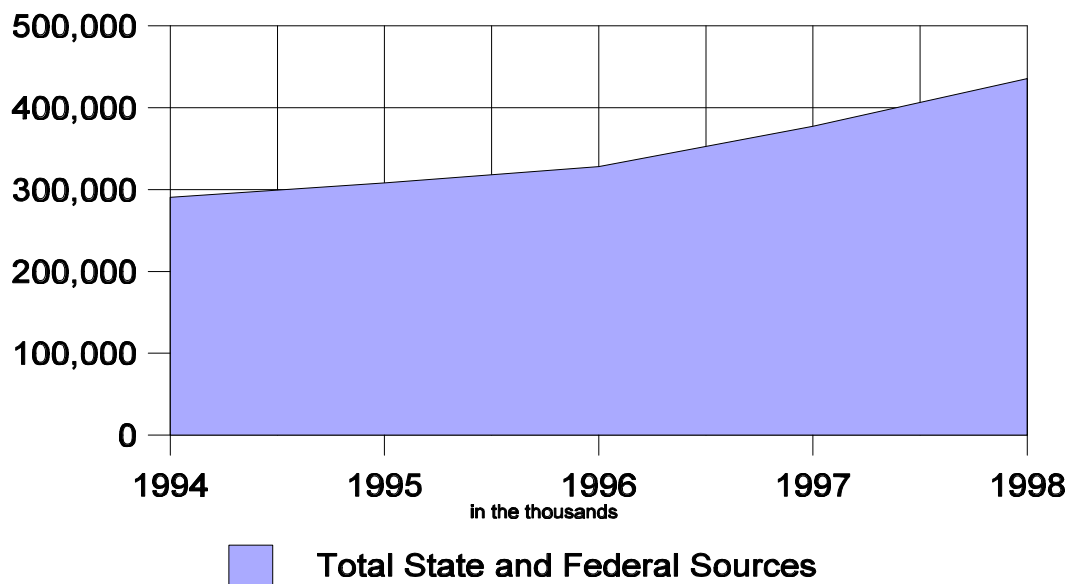
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Sources of Funding for Michigan's Trial Courts

The materials that follow in this book present a general description and overview of many of the funding programs available to Michigan's trial courts and friend of the court offices. By their nature, these funding programs are not cohesive, but segmented, as they pertain only to certain caseload, activities or programs operated by the local courts or the friend of the court office that are entitled to receive funding by state or federal law. Many of the programs, such as the Title IV-D program on a large scale or the Drunk Driving Caseflow Assistance Fund on a smaller scale, require significant data collection and reporting requirements and unreimbursed administrative efforts to comply with the rules governing the state or federal operation of these programs. It is then necessary and at times crucial for the trial courts and their funding units to facilitate and maintain open communication and exchange of information as it relates to the reporting of information and maintenance of these funding programs.

The state Judiciary and Family Independence Agency (FIA) are the main state sources of program funding for trial court operations. Other state agencies, for example, State Police, provide limited grant funds for temporary and specific program funding. The funding received from the state FIA supports much of the operation of Family Division of the Circuit Court.

Trends in Trial Court Funding Sources



NOTE: The above graph charts the collective growth in state and federal funding sources for trial court activities. The following funding programs are included:

- **From FIA** — Child Care Fund, Title IV-e, State Ward Board and Care, Basic Grant, Juvenile Officer Grants, Federal Incentive Program, State Incentive Program, Cooperative Reimbursement Program
- **From state Judiciary** — Drunk Driving Caseflow Assistance Fund, Drug Case Information Management Fund (since 1997) , Judges Salaries, State Court Fund/Court Equity Fund, Jury Fee Reimbursement (1995 and 1996 only), Court of Claims and State Litigation funding

Trial Court Revenues Transmitted to State Sources For State Fiscal Year 1997-98

The fee charts on the following pages identify several state funds/agencies that receive funding by statute from the various fees, fines and assessments imposed by the trial courts in all types of actions, civil and criminal. The trial courts collect and disburse well over \$100,000,000 annually to state and local units of government other than their own funding unit. More than 80% of this revenue is returned to the local communities in specific program funding including libraries (penal fines), court funding (Court Equity and State Court Fund), additional sheriff services or staffing (Secondary Road Patrol) or community-based mediation centers (Community Dispute Resolution Program) or to individuals who are victims of crimes (Crime Victims Rights Fund).

State Fund or Program	Estimated Court Revenue Transmitted
Department of Natural Resources:	
Judgment Fee	\$ 310,077
State Police:	
Highway Safety Fund	\$ 6,822,628**
Secondary Road Patrol	\$ 6,777,004**
Michigan Justice Training Fund	\$ 7,405,583**
State Forensic Lab Fund	\$ 886,102
Secretary of State:	
Driver License Reinstatement	\$ 6,249,512
Judges Retirement System	\$ 8,013,648 *
Legislative Retirement System	\$ 1,093,794
Dept of Community Health:	
Crime Victim's Rights Fund	\$ 7,053,902**
Supreme Court:	
State Court Fund	\$27,958,777 *,**
Court Equity Fund	\$ 8,218,356 *
Community Dispute Resolution	\$ 1,219,248 **
State General Fund	\$ 3,548,103
Total Estimated Court Revenue Transmitted to State Sources	\$85,556,734
Total 1998 Penal Fines Collected and remitted to the County Treasurers For Funding of Local Libraries	\$28,901,389**

Source of state fund data is the Department of Treasury trial court transmittal forms as received by State Court Administrative Office and verified by several of the above state agencies. Source of penal fine data is the state Library of Michigan.

* Funds that are either wholly or partially redistributed to local court funding units

** Funds that are allocated to individuals or local and community-based programs

CIRCUIT COURT FEE DISTRIBUTION

Revised 4/9/98

Legend:								
CDRP	Comm. Dispute Resolution Program	LRS	Legislative Retirement System			SCF	State Court Fund	
JRS	Judges Retirement System	SGF	State General Fund			CGF	County General Fund	

MCL	Description	FEE	CDRP	JRS	LRS	SGF	SCF	CGF
600.2529(1)(a)	Civil Filing Fee *1,2	\$100.00	\$2.00	\$18.75	\$5.00	\$5.25	\$58.00	\$11.00
600.1027(1)	Ancillary Conservatorship *2,4	\$100.00	\$2.00	\$18.75	\$5.00	\$5.25	\$58.00	\$11.00
600.1027(1)	Ancillary Guardianship *2,4	\$50.00	\$0.00	\$0.00	\$0.00	\$0.00	\$50.00	\$0.00
600.2529(1)(c)	Jury Demand Fee	\$60.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$60.00
600.2529(1)(e)	Motion Fee * 2,3	\$20.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10.00	\$10.00
600.2529(1)(h)	Writ of Garnishment, Attachment, Execution or Judgment Debtor Discovery Subpoena	\$15.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$15.00
600.2529(1)(b)	Appeals to Circuit Court	\$100.00	\$0.00	\$0.00	\$0.00	\$0.00	\$15.00	\$85.00
600.2529(1)(g)	Appeals from Circuit Court	\$25.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$25.00
600.2538(1)	FOC Service Fee (monthly)	\$1.25	\$0.00	\$0.00	\$0.00	\$0.00	\$1.00	\$0.25
600.2546	Certified Copies (Additional \$1 per page)	\$10.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10.00

1. Includes all civil actions filed in the family division of circuit court. 1996 PA 388, section 1025 (MCL 600.1025)
As of January 1, 1998, the circuit court jurisdictional limit was raised to general civil claims over \$25,000.

2. No filing or motion fees may be charged for acknowledgments of paternity, petitions for commencing an ancillary proceeding under the mental health code or under chapter X11A of Act No. 288 of 1939, (MCL 712A.1 to 712A.31), petitions relating to an ancillary guardianship, limited guardianship or conservatorship for a minor if the moving party is the subject of the guardianship, limited guardianship or conservatorship. 1996 PA 388, sec. 1029 (MCL 600.1029)

3. Includes motion fees for civil actions filed in the family division of circuit court. 1996 PA 388, sec. 1025 (MCL 600.1025)

4. The family division of the circuit court has ancillary jurisdiction in guardianship, conservatorship and mentally ill matters, which are not part of the primary jurisdiction of the family division. Ancillary jurisdiction is the power of the court to adjudicate matters which are subordinate to, or in addition to, matters that are part of the primary jurisdiction of the family division.

PROBATE COURT FEE DISTRIBUTION**Revised 3/13/98****Legend:****JRS:** Judges Retirement System **SCF:** State Court Fund **CGF:** County General Fund

MCL	Description	Total Fee	JRS	SCF	CGF
600.880(1)	Civil Action/Proceeding Fee	\$100.00	\$21.00	\$79.00	\$0.00
600.880(2)	Proceedings Involving: Estates Less than \$15,000	\$25.00	\$0.00	\$25.00	\$0.00
600.880A(1)	Proceedings Involving: Guardianship or Limited Guardianship	\$50.00	\$0.00	\$50.00	\$0.00
600.880B(1)	Motion, Petition, Account, Objection or Claim Fee	\$15.00	\$0.00	\$7.50	\$7.50
600.880C(2)	Trust Registration or Will for Safe Keeping	\$25.00	\$0.00	\$0.00	\$25.00
600.880C(1)	Appeals from Probate Court	\$25.00	\$0.00	\$0.00	\$25.00
600.2546	Certified Copies (plus \$1 per page)	\$10.00	\$0.00	\$0.00	\$10.00

DISTRICT COURT FEE DISTRIBUTION - January 1, 1998

Legend:								
CDRP	Comm. Dispute Resolution Program	LRS	Legislative Retirement System	CEF	Court Equity Fund			
JRS	Judges Retirement System	SGF	State General Fund	SCF	State Court Fund			
				DFU	District Funding Unit			

MCL	Description	FEE	CDRP	JRS	LRS	SGF	SCF	DFU
<u>SMALL CLAIMS</u>								
600.8420(1)	Filing Fee - Claim up to \$600							
		\$17.00	\$2.00	\$4.50	\$0.00	\$0.00	\$5.00	\$5.50
	Claim over \$600							
		\$32.00	\$2.00	\$9.00	\$0.00	\$0.00	\$10.00	\$11.00
600.8420(1)	Issuance of a Writ of Execution, Attachment, Garnishment or Judgment Debtor Discovery Subpoena							
		\$15.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$15.00
<u>GENERAL CIVIL</u>								
600.8371	Filing Fee - Claim up to \$600							
		\$17.00	\$2.00	\$4.50	\$0.00	\$0.00	\$5.00	\$5.50
	Claim over \$600 up to \$1,750							
		\$32.00	\$2.00	\$9.00	\$0.00	\$0.00	\$10.00	\$11.00
	Claim over \$1,750 up to \$10,000							
		\$52.00	\$2.00	\$13.50	\$0.00	\$0.00	\$20.00	\$16.50
600.8371(1)	Claim over \$10,000							
	New Jan 1, 1998	\$100.00	\$2.00	\$13.50	\$0.00	\$0.00	\$63.00	\$21.50
600.8371(8)	Filing Fee - Other Than Money Judgment Equal to Claims over \$1,750							
		\$52.00	\$2.00	\$13.50	\$0.00	\$0.00	\$20.00	\$16.50
600.8371(9)	Jury Demand Fee							
		\$40.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$40.00
600.8371(10)	Motion Fee - civil action over \$10,000							
	New Jan 1, 1998	\$20.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10.00	\$10.00
600.8306(4)	Writ of Garnishment, Attachment, Execution, or Judgment Debtor Discovery Subpoena							
		\$15.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$15.00
<u>SUMMARY PROCEEDINGS</u>								
600.5756(1)	Filing Fee - Possession of Premises							
		\$32.00	\$2.00	\$9.00	\$0.00	\$0.00	\$10.00	\$11.00

DISTRICT COURT FEE DISTRIBUTION

Legend:									
CDRP	Comm. Dispute Resolution Program	LRS	Legislative Retirement System	CEF	Court Equity Fund				
JRS	Judges Retirement System	SGF	State General Fund	SCF	State Court Fund				
				DFU	District Funding Unit				

MCL	Description	FEE	CDRP	JRS	LRS	SGF	SCF	DFU	CEF
600.5756(2)	Supplemental Filing Fee - For Money Judgment								
	Claim up to \$600	\$17.00		\$2.00	\$4.50	\$0.00	\$0.00	\$5.00	\$5.50
	Claim over \$600 up to \$1,750	\$32.00		\$2.00	\$9.00	\$0.00	\$0.00	\$10.00	\$11.00
	Claim over \$1,750 up to \$10,000	\$52.00		\$2.00	\$13.50	\$0.00	\$0.00	\$20.00	\$16.50
	Claim over \$10,000	\$100.00		\$2.00	\$13.50	\$0.00	\$0.00	\$63.00	\$21.50
600.5738	Jury Demand Fee	\$40.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$40.00
600.5757	Writ of Restitution, Garnishment, Attachment, or Execution and for each Judgment Debtor Discovery Subpoena	\$15.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$15.00
	<u>APPEALS/COPY FEES</u>								
600.6536	Appeals from District Court	\$25.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$25.00
600.2546	Certified Copies \$10 plus \$1 per page	\$10.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10.00
	<u>CRIMINAL/TRAFFIC FEES</u>								
600.8381	State Costs	\$9.00		\$0.00	\$0.45	\$0.30	\$0.00	\$4.00	\$0.00 \$4.25
257.321a	Drivers License Reinstatement Fee	\$25.00							\$10.00 *SOS \$15.00

*SOS - Secretary of State

Drunk Driving Caseflow Assistance Fund

MCL 257.625b

The Drunk Driving Caseflow Assistance Fund was created by statute effective January 1, 1992. The fund was created to provide a source of funding for implementation of new case processing time guidelines to promote the timely disposition of cases in which the defendant was charged with a qualifying drunk driving offense charged under either state statute or local ordinance.

The new time lines instituted for these cases were as follows:

1. Arraignment processed within 14 days of arrest;
2. Pretrial commenced within 35 days after arrest, or 42 days in single-judge, multi-location courts; and
3. Adjudication 77 days after arrest.

The cases to which these deadlines apply are all OUIL-related offenses, or operating a vehicle under the influence of liquor, whether that vehicle is a motor vehicle, snowmobile or boat.

At the same time the new case processing times were established, the drivers' license reinstatement fee, payable to the Secretary of State (SOS), was raised from \$60 to \$125. Of the new higher fee amount, \$30 of each license suspension fee as a result of an OUIL - related offense, is deposited by the SOS into the Drunk Driving Caseflow Assistance Fund.

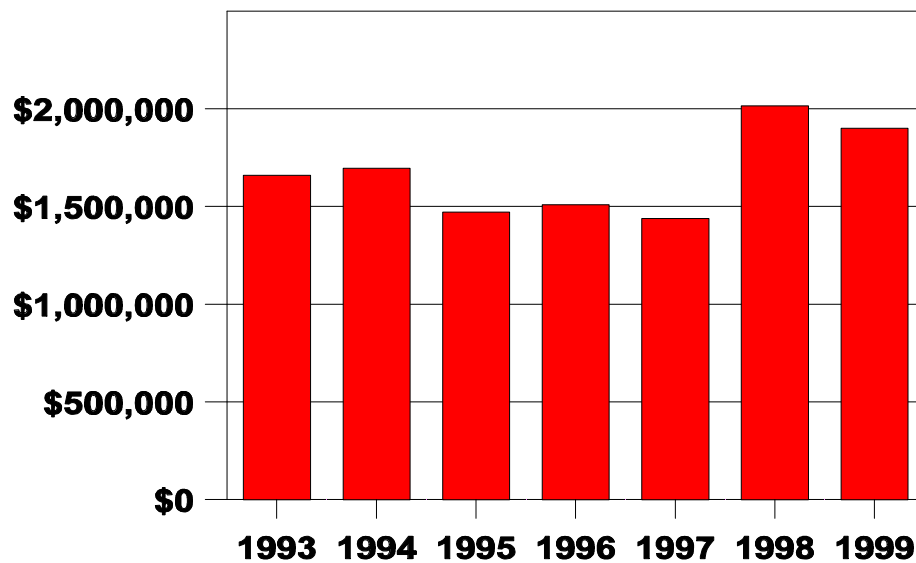
Revenue deposited to the Drunk Driving Caseflow Assistance Fund is dependent upon the number of new OUIL-related offenses filed that carry the license suspension and payment by the individual of the \$125 fee to the SOS to remove their license from suspension status.

The State Court Administrative Office is then responsible for the annual distribution of the fund to district and municipal courts. Each district and municipal court receives a proportion of the fund based upon their OUIL-related caseload and that of the statewide caseload for each calendar year. The fund is distributed each year for the previous year's fund revenue and the previous year's trial court caseload.

Example: *Distribution for 1999*

Total revenue deposited from SOS fee collections for fiscal year 1998 multiplied by the trial court's new filings for 1998 divided by the statewide new filings for 1998 for OUIL-related offenses.

The graph below charts the trend in distributions from the fund since its inception.



Examples of the manner in which funds have been allocated locally include:

- Staff positions — magistrate, clerical support, probation or alcohol screening officers;
- Equipment — computers and technology enhancements, vehicles for intensive probation, preliminary breath tests (PBTs), alcohol screening and/or assessment materials; and
- Training — substance abuse causes and treatments for probation officers.

Drug Case Information Management Fund

MCL 257.323d

The Drug Case Information Management Fund was created by statute, effective September 1, 1994. The fund was created to provide a source of funding for timely management and reporting to the Secretary of State (SOS) of specific cases. The case types include an attempt to violate, a conspiracy to violate, or a direct violation of the Public Health Code for drug-related offenses charged under either state statute or local ordinance.

The fee to reinstate a violator's driver's license is \$125, payable to the SOS. Of this amount, \$30 of each license suspension fee as a result of a drug-related conviction is deposited by the SOS into the Drug Case Information Management Fund.

Revenue deposited to the Drug Case Information Management Fund is dependent upon the number of new drug-related convictions that carry the license suspension and payment of the \$125 reinstatement fee to the SOS.

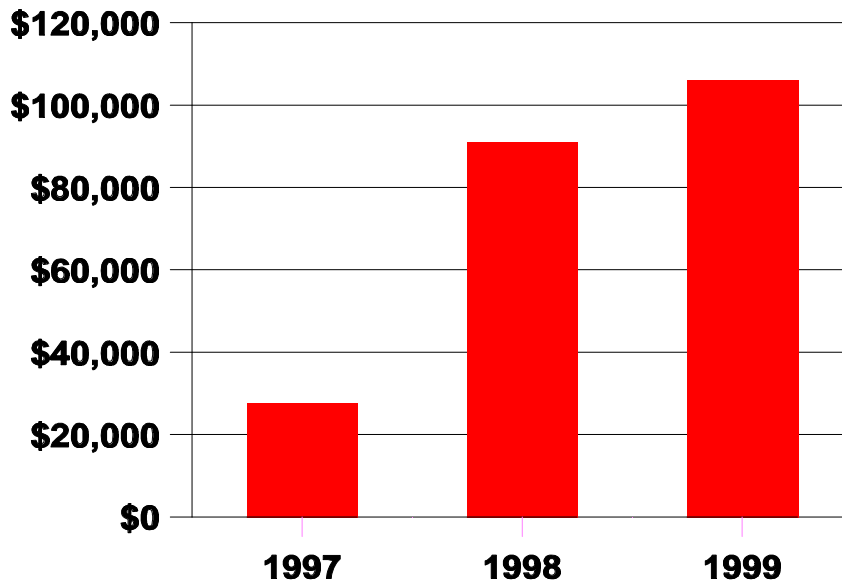
The State Court Administrative Office is then responsible for the annual distribution of fund to circuit, probate and district courts. Since the creation of the Family Division of the Circuit Court effective January 1, 1998, the probate court no longer has jurisdiction to handle the case types that receive distribution from the Drug Case Information Management Fund.

Each court receives a proportion of the fund based upon its drug-related caseload and the statewide caseload for each calendar year. The fund is distributed each year for the previous year's fund revenue and the previous year's trial court caseload.

Example: *Distribution for 1999*

Total revenue deposited from SOS fee collections for fiscal year 1998 multiplied by the trial court's new filings for 1998 divided by the statewide new filings for 1998 for drug-related offenses.

The graph below charts the trend in distributions from this fund since its inception. Distributions for fiscal year 1996 were not made, as revenues to this fund were low in the start-up year of this program. Collections usually lag approximately six months to a year or so behind implementation of any new criminal fees.



Examples of the manner in which funds have been allocated locally include:

- Staff positions — clerical support;
- Equipment — computers and technology enhancements; and
- Training — new or existing staff for reporting requirements and electronic systems reporting.

Court Equity Fund

MCL 600.151b

The Court Equity Fund was established by statute, effective October 1, 1996. Funding is appropriated annually for the Court Equity Fund as part of the “Trial Court Operations” appropriation to the state judiciary.

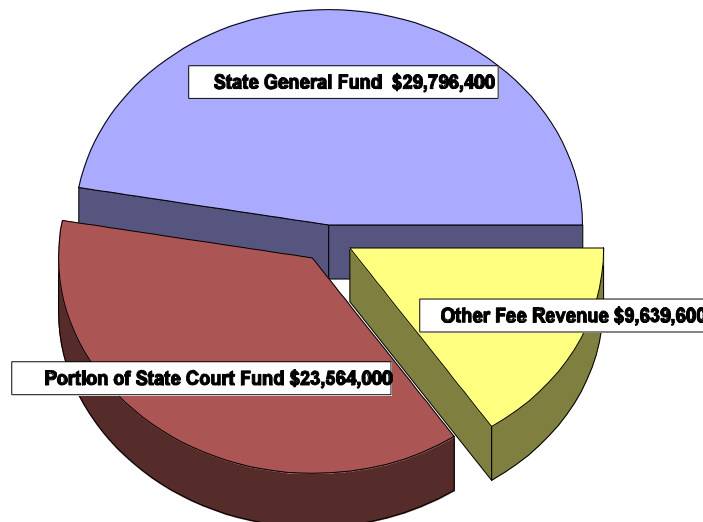
Fund Facts

Prior to the Court Equity Fund, the State Court Fund was established by statute, effective October 1993. Numerous court fees were adjusted or established as part of the overall legislation with a portion of many of the fees deposited to the State Court Fund. The fund was primarily designated for trial court funding and distributed to trial court funding units based on a “net expenditure” formula. At most 33 counties and 3 cities received funding in the three years of distributions from the State Court Fund. Total funds available annually for distribution ranged between \$8-\$11 million.

The legislation that created the Court Equity Fund in 1996 called for fee revenue to continue to be deposited with the State Court Fund, with a majority of that revenue flowing through to the new Court Equity Fund. The Court Equity Fund also receives some additional sources of court revenue and a significant amount of state general fund dollars.

Court Equity Fund

State Fiscal Year 1998-99



In the first year of operation, the Court Equity Fund distributed \$50,000,000. Over a five year

period, from FY 1997-98 through FY 2001-02, the governing legislation calls for an additional \$4 million in state general fund dollars to be added to the Court Equity Fund in each year from another fund, the Hold Harmless Fund. This fund was created to for five years for any trial court funding unit that did not receive increased funding under the new Court Equity funding formula. For FY 1998-99 the Court Equity Fund is estimated to distribute approximately \$63,000,000.

The court revenue portion of the Court Equity Fund is dependent on caseload activity, the user's or defendant's ability to pay, and the court's ability to collect the fee. The fee charts included in this book list the fees in the circuit, probate and district courts that contribute funds either directly to the Court Equity Fund or to the State Court Fund that flows into the Court Equity Fund.

Fund Distribution Formula

The complex statutory formula for distribution of the Court Equity Fund involves two factors: the caseload activity of the local trial courts and the number of judgeships allocated to each county. The main factor, caseload, takes into account new cases filed for the most recent three years in the probate and circuit courts in the county and calculates the county's proportion of these case filings for the three years for the entire state. The second factor, the number of judgeships, takes into account the number of judgeships within the county and calculates the county's proportion of these judgeships for the entire state. An initial share of funding is calculated using the caseload factor and final share is calculated by applying the judgeship factor. Final share as calculated is reduced to a proportional share, as the statutory calculation of the final share exceeds available funds for distribution.

Example: Distribution for FY 1998-99

Three years of new filings for Sample County's circuit and probate court divided by the three years of statewide circuit and probate court new filings

$$42,541/1,333,046 = .031913 \text{ or } 3.1913\%$$

The initial share is 3.1913% of \$63 million for \$2,010,519.

The total number of judgeships allocated within the county divided by the total number of judgeships statewide

$$18/576 = .03125 \text{ or } 3.125\%$$

The final share calculation according to the statutory formula would be calculated as follows:

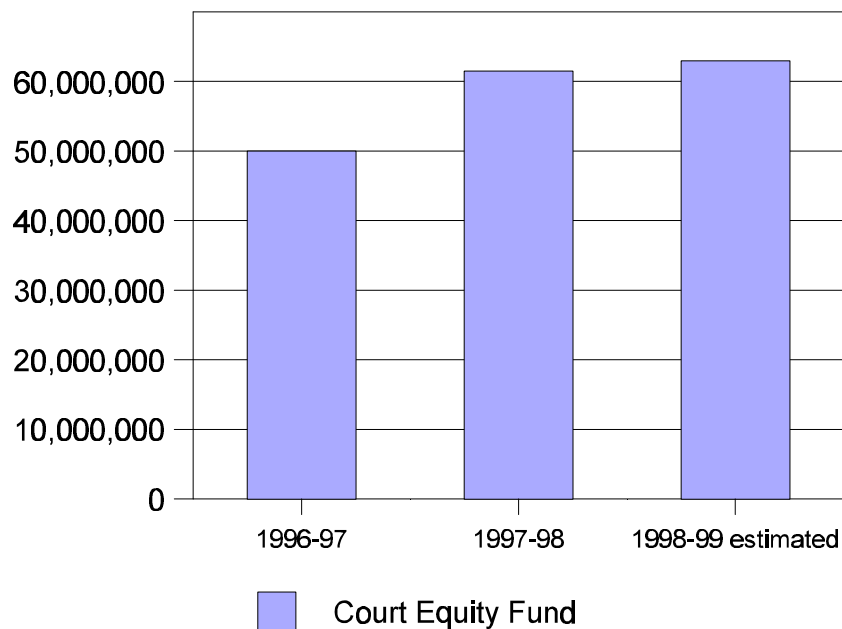
$$(1 + 0.3125) \times \$2,010,519 \text{ (the initial share)} = \$2,073,348$$

The application of the judgeship factor inflates all calculated final shares above the amount of funds available for distribution. Therefore, all final shares are prorated to

the amount available.

$$\$2,073,348 / 68,977,152 \times \$63,000,000 = \$1,893,684$$

The graph charts the trend in distributions from the fund since its inception.



Additional Fund Facts

Projections and estimates of the fund are based on the state fiscal year (October - September), with disbursements from the fund made quarterly (January, April, July and early November). Payments from the fund are **not** made in equal installments as the court revenue portion of the fund (52-53%) fluctuates throughout the year based on caseload and collections. **Initial estimates of fund revenues for the year are provided at the earliest opportunity to assist trial courts and counties with their budget development processes.**

Circuit Court – Family Division

Funding Programs for the Care of Children and Youth

(Court and State Wards)

There are currently three major state/federal funding sources for the care of children and youth in Michigan. All programs are administered and/or regulated through the State Family Independence Agency. The child's legal status and funding eligibility influence which funding sources the child falls under. The following is a brief explanation and description of each of the funding programs.

Title IV-E (formerly Aid to Dependent Children - Foster Care) — The title of the program is the name of the chapter defining the program within the federal citation as referenced in the Social Security Act. It is administered by the federal Department of Health and Human Services. To be eligible for this funding, all of the following criteria must be met:

1. The child must meet specific Title IV-E eligibility criteria (was or would have been eligible for Title IV-E in his/her own home).
2. If the child is a court ward and not committed under public act to state care, the court order must place the child under the "care and supervision" of the Family Independence Agency (FIA).
3. The court order must state that it is contrary to the welfare of the child to remain in the home of the parents, and that reasonable efforts have been made to prevent removal or return the child to the home.
4. The child must be placed in a Title IV-E reimbursable placement. Title IV-E reimbursable placements are licensed family foster homes, private non-profit child caring institutions and small treatment facilities (less than 25 beds) operated by the FIA.

The cost share for the program is dependent on the type of placement.

The ratio for all licensed foster homes and private child caring institutions is approximately 50% state funding and 50% federal funding. For placement at the Arbor Heights Center and FIA-operated residential care centers, the funding proportion is 50% federal funding, 25% state funding and 25% county funding. The billing procedures for this program require that the state incurs the costs, seeks reimbursement from the federal government, and charges back to the county.

State Ward Board and Care — This is the program utilized for youth committed to the

state and accepted under either what is commonly called Public Act 150 which refers to delinquency cases or Public Act 220 which refers to dependent, abused or neglected youth cases. This program funding is used when the youth is not eligible for Title IV-E funding or is not in a Title IV-E reimbursable placement.

The state either incurs the cost of care if provided by state staff, or pays for the care if provided by a private agency and then charges the county back for 50% of the cost.

Child Care Fund — The Child Care Fund is a county-state fiscal program, in which the State of Michigan cooperates with counties to provide care and service for children. The court or local FIA controls the services and expenditures. Services are locally developed and administered. The program originated in 1955 to improve child care in Michigan by state participation in costs.

The legal basis for operating and regulating the child care funding system is in the Social Welfare Law, MCL 400.117 and 400.23, the Child Care Organization Licensing Law MCL 722.111, and the Family Independence Agency Administrative Rules for Licensing for Child Care Institutions and Child Placing Agencies. The Child Care Fund Handbook, issued by FIA, identifies the extensive rules and procedures that must be followed in order for services to be reimbursed by the state Child Care funding system. The fund can be divided into two sub-accounts; one for the family division of the Circuit Court and one for the county Family Independence Agency. Reimbursable Child Care Fund expenditures fall into three broad categories:

1. *County-Operated Child Care Facilities* — Reimbursement is limited to the operating cost of the facility. There is no reimbursement for capital expenditure, and limits exist for the eligibility of repair expenses.
2. *Out-of-Home Care for Court Wards* — Costs of the direct services to court wards placed in foster care, institutional care or independent living are generally reimbursable. Judicial or court administrative cost are not reimbursable.
3. *In-Home Care* — Reimbursement in this category is dependent upon pre-approval by FIA of the anticipated expenditures. Most costs, except judicial costs incurred in reducing out-of-home days care, are reimbursable. These costs are limited to services which prevent the need to place a youth out-of-home or to facilitate the early return of the youth to his or her own home.

Expenditures that qualify for reimbursement as detailed and described in the Child Care Fund Handbook are initially paid 100% by the county and reported monthly to FIA on form FIA-207, for a claim of 50% state reimbursement. These monthly expenditures are net against funds the county may owe the state for that month's activity in the state ward board and care program, reimbursements received, and other FIA programs which will result in either a check or a bill for that month transmitted back to the county. The reimbursements involve

the authority and responsibility of the court to collect reimbursement of the cost of care or service for all minors served by the court or placed by the court with the state in its order. This applies to the Title IV-E placements and State Ward Board and Care program as well as the Child Care Fund program.

The Basic Grant Program as part of the Child Care Fund provides additional financial assistance to counties of 75,000 population or less as determined by the official annual estimated census. The money is to be used for juvenile justice programs according to a child care plan filed with and approved by the Child Care Fund Administration within FIA. The funds are limited to supplement added juvenile justice service costs, new or expanded services, and may not be used to replace county funding currently being expended. The funds are also limited to “at-risk” youth who are within or are likely to come within the jurisdiction of the Family Division of the Circuit Court, where a complaint or petition has been filed with the court.

Youth are considered “at risk” or likely to come under the jurisdiction of the court if any two or more of the following risk factors apply to the youth and are documented:

- Report of abuse and/or neglect of the youth;
- History of School Truancy, suspensions or expulsions;
- Run away from home;
- Use of alcohol or drugs;
- Ineffective, inconsistent, or nonexistent parental control; or
- Negative or delinquent peer relationship(s).

The amount of the grant is \$15,000 annually. Costs are initially incurred by the county and reimbursement is processed by the monthly reporting of expenditures as part of the Child Care Fund. Currently, there are 59 counties in Michigan that are eligible to receive this funding.

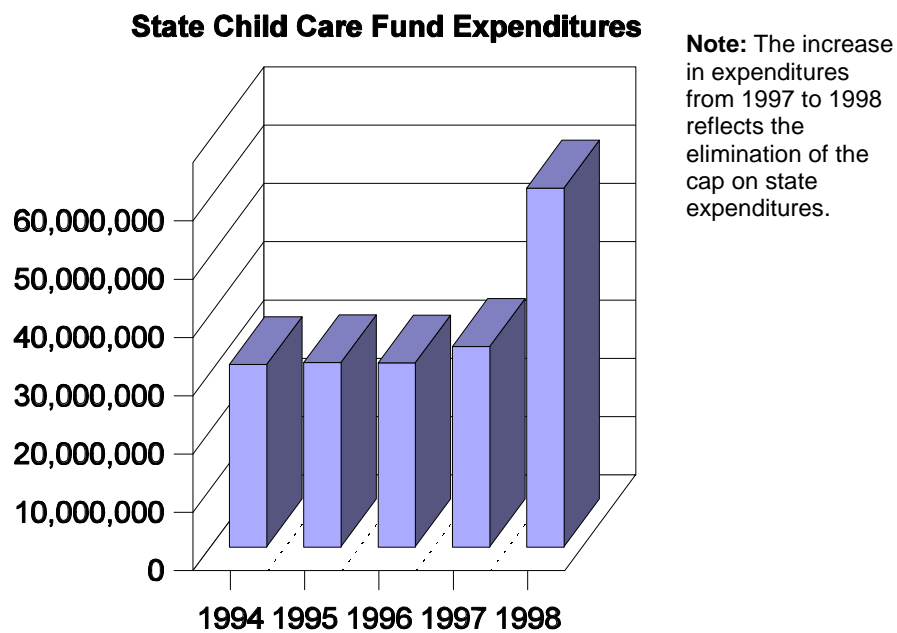
Also, the Child Care Fund includes costs for pre-adoptive care which is reimbursed at 100% by the state. Pre-adoption care charges are for foster care costs by the placing agency during the release appeal period and are not to include administrative costs.

The Child Care Fund has undergone some extensive changes recently. For approximately seventeen years, the fund had been reimbursing counties on a dollar-for-dollar basis for expenditures up to a capped level. In 1997, as a result of litigation, the cap on state reimbursement was removed. Prior to removal of the cap, the state reimbursed up to approximately \$32,000,000 for county Child Care Fund expenditures. The state’s contribution was since doubled to approximately \$70,000,000. The Child Care Fund appropriation for Fiscal Year 1998-99 has been increased to \$72,000,000.

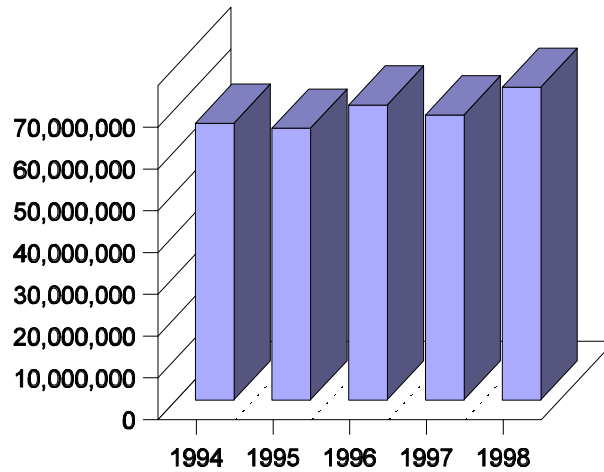
FIA Family Preservation Account: Child Safety and Permanency Plan and Families First — The Family Preservation Account fund is for FIA-supervised youth, either neglect/abuse or delinquent and is to be used to prevent the need for out-of-home placement. The state pays 100% of the direct expenditures for this program. Some pilot joint Child Safety Permanency Plans have been implemented which allow the courts to access funds and

services for court supervised youth. Some examples of the services provided include in-home counseling, wraparound services, mentors, multi-systemic therapy and parenting classes.

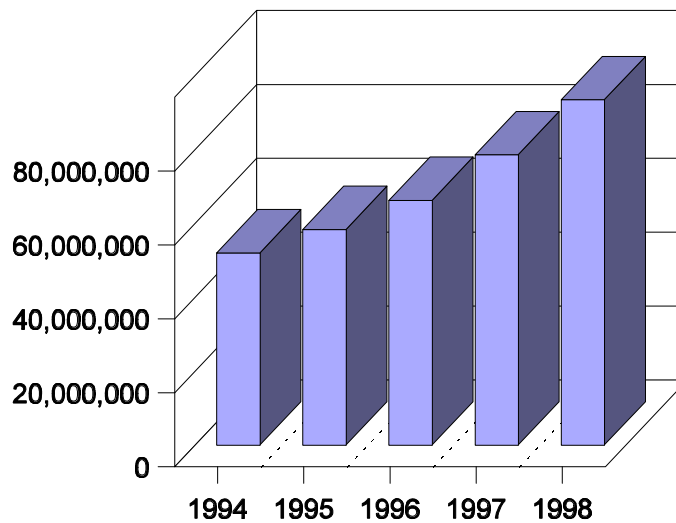
The following graphs chart the most recent five years of expenditures from the three major child care funding programs. The Child Care Fund graph does not include nearly \$900,000 annually in expenditures for the Basic Grant Program.



State and Federal Title IV-E Expenditures



State Ward Board and Care Expenditures

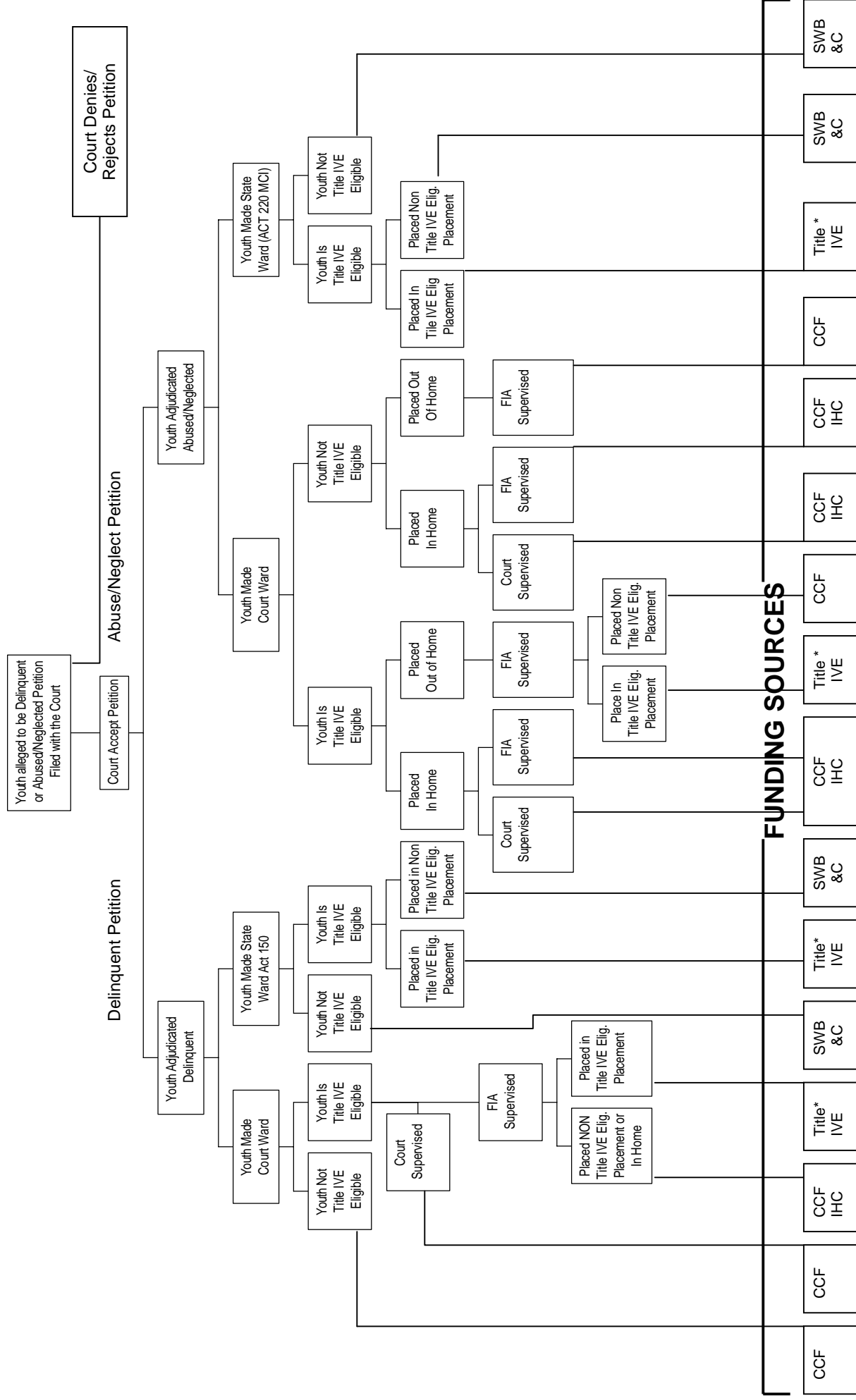


Note: By statute, each county has the ability, by final vote of the Board of Commissioners, to convert funding received by these state Child Care funding programs to what is known as a block grant. The block grant consists of the state portion of funding for the Child Care funding programs at the level of the previous year's funding and is paid in lump sum to the county. The county then has the opportunity to reduce its previous contributory level of funding, but may not receive supplemental funding from the state. Wayne County is currently in the process of considering this conversion.

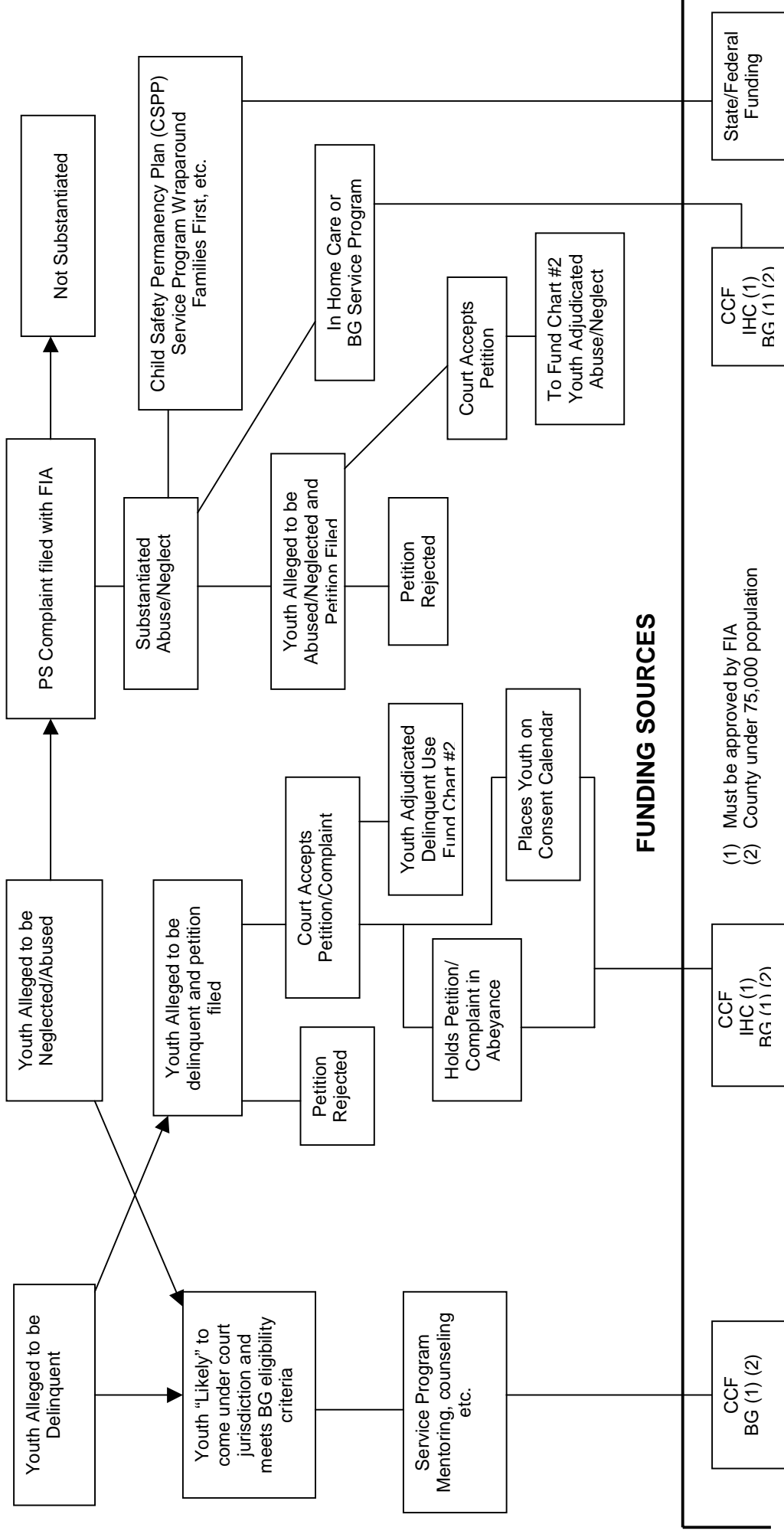
CCF = Child Care Fund
SWB&C = State Ward Board & Care
Title IVE = Aid to Dependent Children
BG = Basic Grant

Source: Michigan Family
Independence Agency

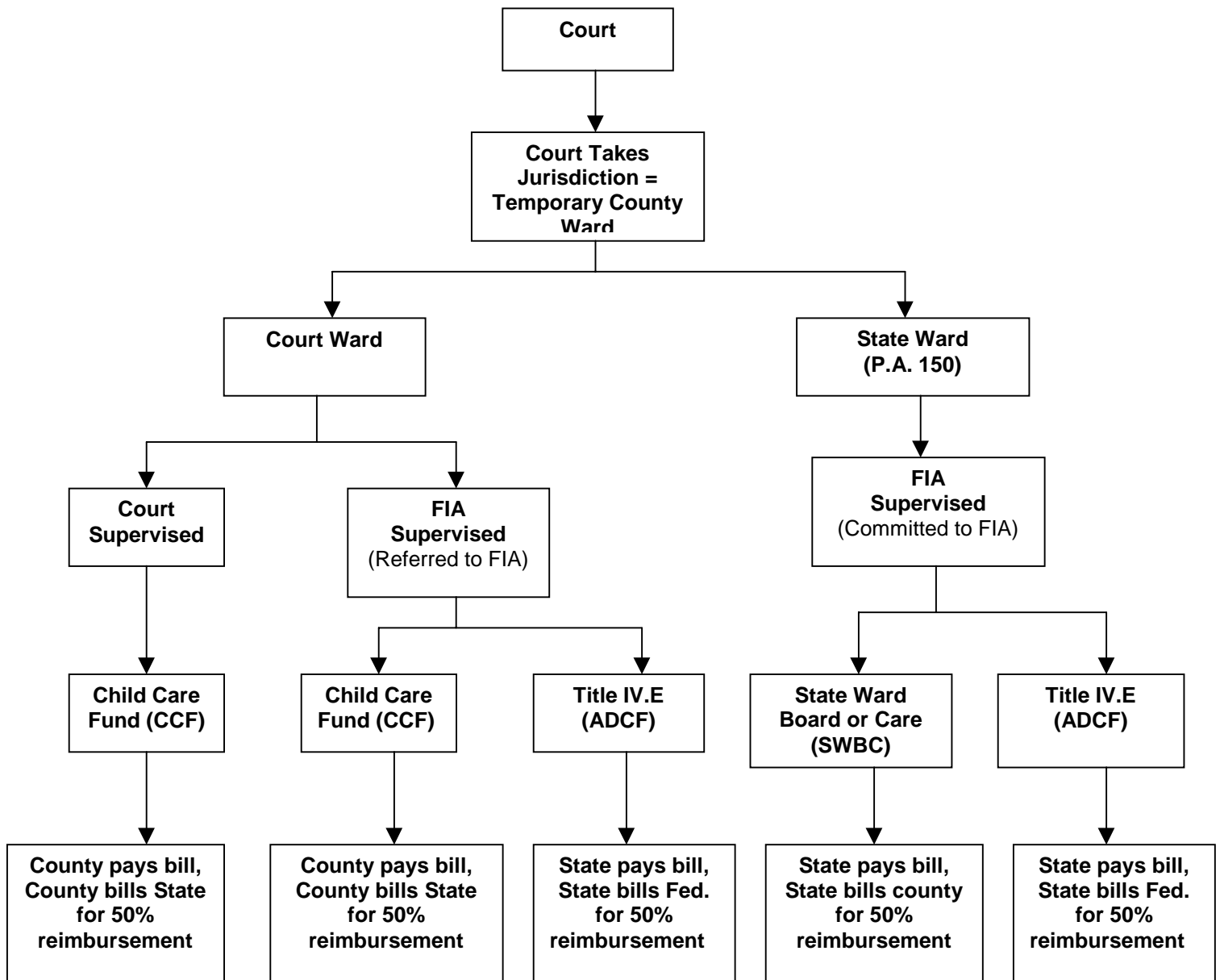
FUNDING SOURCE CHART



* If the following Title IVE eligibility requirements are met: 1) Continuous Title IVE eligibility In Home from which removed. 2) Youth's income and property do not exceed limits. 3) Court finding that reasonable efforts were made to prevent removal or are being made to reunify family. 4) FIA responsible for out-of-Home selection. NOTE: Funding is available for both state and court wards through Performance Agreements.



State and Court Ward Funding



State Grants for County Juvenile Officers

The powers, duties, and compensation of county juvenile officers of the Family Division of the Circuit Court are prescribed in MCL 400.251-400.253. State funding for the employment of county juvenile officers and assistant county juvenile officers varies as follows, depending on the date of appointment by the Chief Judge:

- State salary and State fringe benefits;
- State salary and County fringe benefits; or
- State grant payment.

The number of assistants eligible for salary/fringe/grant payment is based on the population of the county. Persons employed as officers or assistants as of October 1, 1980, were required to choose one of the three funding options; however, individuals employed after October 1, 1980 can be paid by state grant only. Once funding under a state grant is assigned, funding may not revert back to the salary options.

Population of the County	Grant Eligible Positions
under 75,000	1 juvenile officer
75,000 - 150,000	1 juvenile officer and 1 assistant
150,001 - 250,000	1 juvenile officer and 2 assistants
250,001 - 500,000	1 juvenile officer and 4 assistants
more than 500,000	1 juvenile officer and 6 assistants

Population is defined as the most recent population projection issued by the Michigan Department of Management and Budget. The grant amounts are currently \$26,001.36 per juvenile officer and \$24,232.42 per assistant juvenile officer in counties receiving grants for only one assistant and \$24,306.11 per assistance juvenile officer in counties receiving grants for two or more assistants. The grant amounts are adjusted annually by the same percentage as the annual salary adjustment for state Civil Service employees who are excluded from representation under Civil Service Rules.

Grant payments are made in advance on a quarterly basis by the state Family Independence Agency. At the end of each quarter the county treasurer must submit a certified expenditure report to FIA, Payment Document Control Division. This form identifies the amount paid and the position(s) and individual(s) under the grant during the quarter. This report is to certify that the full amount of the grant was applied to salaries, expenses, and fringe benefits for only those individuals designated as county juvenile officers or assistants.

Michigan Friend of the Court Funding

Friend of the Court Funding History

Before 1975:

Prior to 1975, funding for Friend of the Court offices was obtained through statutory fees and the county general fund appropriations.

From 1975-1983:

Between 1975 and 1983, additional funding became available from the following programs.

- **Title IV-D of the Social Security Act**

1. U.S. Department of Health and Human Services, through the Administration for Children and Families - Office of Child Support Enforcement, instituted provisions for states to obtain funding for the establishment and collection, distribution and enforcement of child support for eligible cases

The Michigan model for Cooperative Reimbursement Program Contracts (CRP) with the Family Independence Agency now provide partial funding of child support enforcement activities to ease staffing and other costs associated with IV-D eligible cases

2. Federal Financial Participation (FFP) pays 66% of administrative costs for enforcement and collection of child support in eligible cases
3. Incentives based upon level of collections in public assistance cases.
4. Optional provisions for non-AFDC cases.

- **Pre-Judgment Service Fees** were mandated in the amounts of \$30, \$50, and \$70 and paid by the clients of the Friend of the Court. The fee amount is dependent on the services utilized by the client.

- **3% Incentive Funding from the state instituted and earmarked for 215 fund** — (215 fund, also known as the Friend of the Court Fund, is a commonly used name to identify the statutory account number for the restricted funding received by the county for the Friend of the Court Office.)

From 1983 to Present:

Friend of the Court funding was further impacted by the following actions:

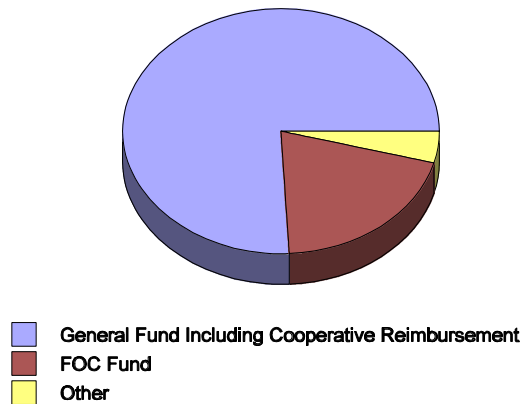
- **Friend of the Court Act** (effective 1983)
The Act codified many custody and parenting time services that were previously provided by only a few FOC offices. These parenting time services were not eligible for IV-D reimbursement and were funded by county appropriations and fees. As a result, this act as well as the Support and Parenting Time Enforcement Act and other similar acts were regularly modified to comply with changes to Title IV-D. This in turn expanded the scope of revenue sources.
- **Federal Waiver**
For the years 1995 through 1999, Michigan has been granted a waiver allowing custody and parenting time expenses to be charged as IV-D costs and therefore receive federal reimbursement under this program. This waiver is set to expire on September 30, 1999. Without the waiver, local general fund appropriations would once again be the only funding source available for this service. The state Family Independence Agency has applied for a one year extension of this funding. The FIA is optimistic approval will be granted but, no final decision on this matter has been communicated to Michigan as yet.

Current Friend of the Court Funding:

Each Friend of the Court office is funded by the county. Funding sources include:

- **County General Fund** — Each county appropriates funds for the Friend of the Court operation. By statute, the county must fund the Friend of the Court at no less than the budget level in 1982 to receive the state incentive which is placed in the Friend of the Court Fund (see Friend of the Court Fund below).
- **Friend of the Court Fund (215 Fund)** — Pursuant to statute, a Friend of the Court fund was established in each county to assist with Friend of the Court funding. This fund was created as part of the Friend of the Court Reform Package passed in 1982. The Fund is under the general supervision of the Chief Circuit Judge. Funds designated by statute for this fund are distributed to the county for deposit in this restricted fund.
- **Circuit Court Counseling** — Each circuit has a counseling fund to be used at the discretion of the Chief Circuit Judge for certain services as mandated by statute. These funds have been used in many Friend of the Court offices to provide mediation and custody/parenting time evaluations. The fund is supported entirely by a portion of the marriage license fee.

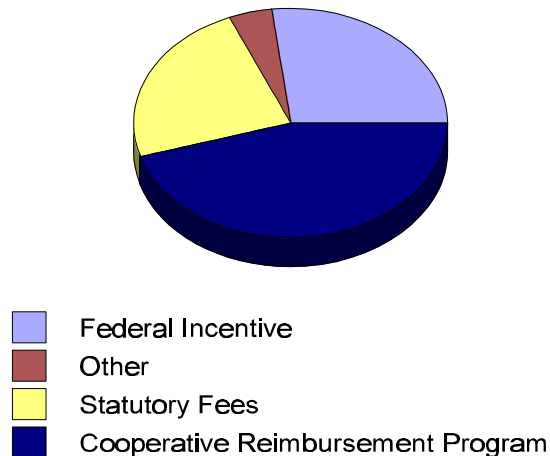
FUNDING



County General Fund — Two main revenue sources return funds to the County General Fund.

1. *Statutory Fees:* As referenced in the Michigan Compiled Laws, the support payer is required to pay \$24 and \$15 per year to the Friend of the Court for general services. 100% of the \$24 and 80% of the \$15 fee, are returned to the County General Fund. (The revenue generated by the \$24 fees is offset against funding received through the Cooperative Reimbursement Program.)
2. *Federal Child Support Incentives:* Incentive payments are made to the state by the federal government based upon the cost effectiveness of the state's IV-D program (Cooperative Reimbursement Program). The incentive payments established by the Federal IV-D program are then returned to the county based upon an incentive formula implemented through the state IV-D program (FIA).

GENERAL FUND REVENUE



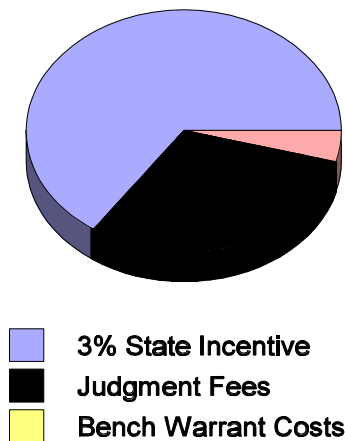
Cooperative Reimbursement Program—The Cooperative Reimbursement Program (CRP) is a contractual agreement between the Office of Child Support of the state Family Independence Agency, and the county and circuit court for the provision of federally mandated (IV-D) child support services through the friend of the court office. IV-D refers to the federal citation for the program as referenced in the Social Security Act, as administered by the federal Department of Health and Human Services.

In general, IV-D child support services include activities to enforce, account for, collect and distribute child support in cases that have on file a IV-D application for services. The state passes through the federal financial participation (FFP) at the current rate of 66% and the state contributes up to 10% from the state appropriations to FIA.

Currently, these contracts provide for approximately 76% state funding (66% federal and 10% state GF) with a county match of 24%. For the past five years Michigan has had a waiver which provided IV-D funding for the custody and parenting time activities of friend of the court office. This funding is currently scheduled to end September 30, 1999.

- **Friend of the Court Fund (215 fund):** Three revenue sources are statutorily designated for this fund.
 1. *State incentive payment:* The State pays a 3% incentive on net TANF (Temporary Assistance to Needy Families, formerly Aid to Dependent Children) child support collections.
 2. *Judgment fees:* A fee is charged for pre-judgment Friend of the Court services, in addition to the normal filing fees. The fees are \$30 for minimal Friend of the Court processing, \$50 if formal mediation services are provided, and \$70 if the Friend of the Court conducts an investigation on any contested matter.
 3. *Bench Warrant Costs:* Effective January 1, 1997, courts are required to order costs associated with issuance of a bench warrant because of a parent's failure to attend a show cause hearing. One half of those costs are to be deposited into the Friend of the Court Fund.

Friend of the Court Fund 215 Fund



Other revenue to the FOC Fund — Some courts recommend to the county that the general fund revenue component (earlier funding section) also be designated for the restricted Friend of the Court Fund (215 fund). This includes the statutory fees, Cooperative Reimbursement Program revenue and the federal incentive payments. The agreement was that the friend of the court office would be entirely supported from this restricted fund and that no additional county general fund dollars need be appropriated.

Most of these agreements were established at a time when revenues exceeded expenditures and provided adequate resources for the child support program. Declining public assistance caseloads has meant that federal incentive payments have steadily decreased. Thus these arrangements may need revision to ensure adequate service levels.

- **Circuit Court Counseling Fund** — Marriage license fees are used to fund this account. Of the \$20 fee, \$15 is earmarked for this fund. Under the general control of the Chief Circuit Court Judge, this fund has been utilized to provide counseling and custody evaluation in domestic relations cases.

Current Issues Facing Friend of Court Offices

New Federal Child Support Incentive Formula (formula for funding sent to the state): Effective in fiscal year 2000 there will be major changes in the calculation of child support incentive funds distributed by the federal government. The focus of the new formula is a shift to an outcome based incentive formula which will add a national maximum amount of incentive that will be paid to all states. The current formula is based on child support collections with an emphasis on TANF related collections.² The new formula will be based on five performance factors:

1. Paternity establishment;
2. Order establishment;
3. Percent of current child support paid;
4. Percent of cases with a child support arrearage in which collection occurs; and
5. Program cost effectiveness.

A sixth factor, expected to be added in the future, is medical support.

The benefits of the new incentive formula is that child support collections from all TANF cases that are closed are included as TANF cases. It eliminates the cap on non-TANF cases. It is a performance based formula which has the potential to immediately increase Michigan's child support incentive dollars. Funds must be spent on the IV-D program. According to federal law, incentives must be used to supplement, not supplant other funding. In the past, the reimbursement of administrative costs (CRP) and additional incentive funds paid to the county funding unit carried the option of redirecting these funds for use outside the IV-D program. The state may spend money on non-IV-D services only if the Health and Human Services Secretary determines that the use will improve the effectiveness and efficiency of the state IV-D program.

One uncertainty with the new incentive formula is that a national maximum amount of incentive dollars will be set in law. Although this amount is higher than what has been paid historically, it does represent a limitation. Second, the formula is to be phased in over three years,³ which makes planning difficult with regard to budget preparation and funding sources. Payments to the states are projected based on the previous year's performance. Each year's payments will contain adjustments to previous year's amount for over or under payment. Third, there is a provision that to be eligible to receive incentive, the HHS Secretary must determine the state's data to be complete and reliable based upon an audit.

²The current formula is 100% of TANF collections plus non-TANF collections capped at 115% divided by Program costs. The new formula is two times the TANF related collections (including any case that was previously TANF) plus all non-TANF collections times the performance factors.

³Fiscal year 2000 will be 1/3 of the new formula and 2/3 based on the old formula. Fiscal year 2001 is 2/3 new formula and 1/3 based on the old formula. Fiscal year 2002 will be 100% of the new formula.

IV-D Funding Issues for Michigan

Adjustments are likely to the formula the state will use to pass through IV-D child support incentive funding to the local funding unit and the Friend of the Court offices once the new federal formula is in place. This change will likely reflect the federal formula and its established performance measures or some combination of these measures with different weighting given to varying measures.

The loss of the federal reimbursement for custody and parenting time services, which is approximately four million eighty thousand dollars a year, may affect Friend of the Court Offices as soon as October 1, 1999. An application to extend the waiver and continue funding by the federal government for an additional year has been processed by the state Family Independence Agency.

Grant Funding Sources

The key funding source for most court operations is a general fund appropriations from the funding unit. However, occasionally there is an opportunity to obtain funds for court operations or projects for research on improvement of court operations from alternative sources. These alternative sources may well be another governmental entity, or, in some cases, a foundation or charitable institution. These sources can be characterized for purposes of presentation into entitlements and grants.

Entitlement Funds — Entitlement funds are administered by other government units, usually the state or federal government, and are earmarked for the subsidization of specific activities of the local government. Often, a state government agency will administer federal entitlement funds according to specific guidelines set by the federal agency responsible for administration and distribution of funds.

Entitlement funds are almost always intended to encourage an activity or activities of a specific nature (i.e., child support enforcement) or to benefit a class of persons or organizations. Rules relating to eligibility for these funds are promulgated, distributed and enforced by administering agencies, usually a state agency (with guidance from federal agencies, if federal funds involved).

If the potential recipient fails to meet performance, record keeping or eligibility criteria for any given period, funds will be withheld or in cases must be returned. Rules change, sometimes frequently, and recipients should make sure they are aware of the current rules. Programs administered by the Office of Child Support of the Family Independence Agency (i.e., Title IV-D, Cooperative Reimbursement) or by the Office of Juvenile Justice of FIA (Title IV-E, Child Care Fund) are examples of entitlement funding.

Grants — Grant funding are typically awarded for specific activities or projects upon application for limited periods of time, and are often restricted to new or experimental activities. Restrictions on use and application requirements vary widely depending upon program and funding sources. Grant funds available to judicial agencies from the federal government are often administered by state agencies pursuant to annual plans submitted by those state agencies.

Most federally supported programs require contributions by grantees of a resource “match” for the grant project, either in the form of the use of existing resources for the project or the use of added local resources. Grant funds available from private foundations do not universally require matching resources to be contributed by the recipient, but the restrictions applicable to private foundation grants vary widely and should be considered carefully prior to application.

In almost all cases, grant funds are available for limited periods for individual projects. Many governmental grant programs require periodic legislative renewal and may, therefore, exist

for only a few years. Because of these restrictions, grant funds should never be viewed as a source for funding primary or ongoing operations. Rather, grants are best used as resources for testing new programs, evaluating existing programs or research and planning activities. Managers should anticipate that, at the end of a grant period, general appropriation funds must be obtained to continue project activities if it is determined that project is worthwhile and that activities of the project should be maintained over a period of time.

Several state and federal agencies have offered grant funding of justice system improvement activities. A few of the agencies are listed below.

- **Dept of State Police, Michigan Justice Training Commission**
7426 N. Canal Road, Lansing, MI 48913
PH: (517) 322-6627
Dept of State Police is responsible for the administration of the Michigan Justice Training Fund which provides grants for the in-service training of criminal justice personnel in the areas of law enforcement, prosecution, correction, defense, and the judicial branch. In FY 1997-98, this agency granted out \$7.4 million.
- **Family Independence Agency, Juvenile Justice Grant Unit**
Suite 404, 235 S. Grand, PO Box 30037, Lansing MI
PH: (517) 335-6315
FIA is responsible for administration of grant funds available from the federal Office of Juvenile Justice and Delinquency Prevention through the Juvenile Justice and Delinquency Prevention Act. In June 1999, the office announced the release of \$4.9 million in grants to Michigan cities and counties for local juvenile justice services.

According to federal rules, the federal block grant funds were disbursed to encourage locally administered services and encourage local accountability. In order to qualify local jurisdictions were required to develop a policy to test juveniles for controlled substances. The funds can be used to administer accountability-based sanctions; hire additional judges, prosecutors, and/or probation officers; develop pre-trial services, technology information systems and equipment; or develop programs for law enforcement and school referral, drug courts and gun courts.
- **Dept of State Police, Office of Highway Safety Planning (OHSP)**
4000 Collins Road, PO Box 30663, Lansing, MI 48909
PH: (517) 336-6477
The OHSP is responsible for administering federal highway safety fund grants. The office has funded several projects for court and prosecutors relating to the improved processing of traffic cases, particularly OUIL cases.

- **State Justice Institute**
1650 King Street, Suite 600, Alexandria, VA 22314
PH: (703) 684-6100
The State Justice Institute was created by Congress under the State Justice Institute Act of 1984, and is authorized to award grants, cooperative agreements and contracts to state and local courts and others to improve the administration and quality of justice in state courts.
- **Office of Drug Control Policy, Lewis Cass Building, 2nd Floor**
320 South Walnut St., Lansing, MI 48913
PH: (517) 373-4700
This office is responsible for administering anti-drug abuse act law enforcement grants to provide funds to assist state and local governments to carry out specific programs that offer high probability of improving the operation of the criminal justice system and enhancing drug control efforts at the state and local levels. Funds are administered under a set formula, established under the Byrne Memorial Formula Grant.

Grant funds are available from private sources, usually foundations, that are created specifically to provide resources to worthy programs in specific substantive areas. For example the Michigan State Bar Foundation awards grants for projects which will benefit the legal system. The Michigan Foundation Directory, which is available through the Council of Michigan Foundations provides a complete list of all Michigan Foundations and Corporate Giving Programs.

Council of Michigan Foundations
PO Box 599, Grand Haven, MI 49417
PH: (616) 842-7080

These are just a few examples of agencies that have access to ongoing grant funds for the specific purposes mentioned. The Supreme Court communicates regularly with the trial courts and local governments about the availability of grants and offers information and assistance with the application processes. If you or the courts in your county would like further grant information, please contact the State Court Administrative Office, Administrative Services Division. PH: (517) 373-5596.

